

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

The California Highway Patrol is a law enforcement and traffic safety agency reporting to Business, Transportation and Housing Agency Secretary Maria Contreras-Sweet and Governor Gray Davis.



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CHP & ACLU SETTLE THREE-YEAR RACIAL PROFILING DISPUTE

(SACRAMENTO) – The California Highway Patrol (CHP) and The American Civil Liberties Union (ACLU) have reached an out-of-court settlement of the Rodriguez vs. CHP lawsuit. The class action federal lawsuit was based on three traffic stops involving vehicle searches.

The settlement provides that the CHP pays no damages and states that the CHP does not admit to any violations or failure to comply with any federal or state laws relevant to racial profiling. It is further agreed that this settlement is not to be construed as an admission of wrong doing by the CHP. “Nothing during this three-year litigation established a pattern or practice of racial profiling by the CHP,” stated CHP Commissioner D.O. “Spike” Helmick. “The CHP reaffirms its commitment to provide service to the public and treat people respectfully and fairly,” added Helmick.

The CHP has voluntarily kept ethnicity data on its contacts with the public and will continue to do so for an additional three years, as part of this settlement. The CHP will continue to conduct searches of motorists or vehicles based on probable cause without regard to the race of the individuals being searched. CHP management directs that the moratorium on consent searches will be extended an additional three years.

CHP data indicates that of 3.2 million public contacts, only two percent result in searches. Of those searches, 99.9 percent are legally required for inventory during vehicle impoundment or arrest of occupants.

The CHP agrees to reaffirm and clarify its existing policies against racial profiling. The CHP further agrees to provide additional training on racial profiling for all officers.

As a result of this settlement, the parties agree that plaintiffs will receive no damages. The CHP will pay \$875,000 in plaintiff's attorney's fees and other court costs.

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